

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

LISETTE NUNEZ, Plaintiff,	:	2:15-CV-01495 (JFB)(SIL)
	:	
	:	
v.	:	
	:	
PROCARE, LTC, d/b/a TAP RX, LLC,	:	JUNE 3, 2015
Defendant.	:	
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PROPOSED SCHEDULING ORDER AND RULE 26(f) REPORT

Pursuant to Fed. R. Civ. P. 16(b) and 26(f), undersigned counsel for the parties conferred on May 14, 2015 and May 19, 2015. The participants were Edgar M. Rivera for Plaintiff and Rebecca Goldberg for Defendant. The Initial Conference in this case is scheduled for June 17, 2015. Plaintiff and Defendant jointly submit this Proposed Scheduling Order and Rule 26(f) Report.

Discovery may be needed on the subjects of:

1. Plaintiff's medical history;
2. Plaintiff's employment history, including her employment with Defendant;
3. Plaintiff's litigation history;
4. Plaintiff's post-employment mitigation of damages;
5. Personnel records of alleged decisionmakers; and
6. Other acts of unlawful discrimination alleged against Defendant

Proposed Deadlines

Service of Initial Disclosures: June 10, 2015

Service of Written Discovery: September 1, 2015

Identification of Experts and Disclosure of Expert Reports: August 11, 2015

Identification of Rebuttal Experts and Disclosure of Rebuttal Expert Reports: September 1, 2015

Response to Written Discovery: October 1, 2015

Completion of Depositions: November 17, 2015

Discovery Completion Date: November 17, 2015. The parties prefer to expedite discovery, and therefore request that discovery be completed within five months of the Initial Conference.

Motions to Amend Pleadings Including Joinder of Additional Parties: The parties do not anticipate any amendment of the pleadings or joinder of additional parties. Leave of the Court shall be required for any amendments to the pleadings.

Filing of Dispositive Motions: January 17, 2016

Pre-Trial Order/Trial Ready Date: 30 days after the Court rules on dispositive motions

Agreements of the Parties and Proposed Order

The parties agree that discoverable text messages, email messages, and social media postings will be preserved in native form.

The parties agree that Plaintiff's medical history is relevant to this dispute and that Defendant is entitled to discovery on this topic. In recognition of the sensitive nature of this information, the parties request that the Court order Plaintiff's medical records and filings describing the contents thereof to be sealed. This request does not apply to information that has

already been made public by virtue of Plaintiff's filing of her Complaint. If the Court declines to enter an order sealing the records, the parties request that a protective order be entered securing the confidentiality of these records to the maximum extent the Court will allow.

THE PLAINTIFF,
LISETTE NUNEZ

BY: /s/
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THE DEFENDANT,
PROCARE, LTC, d/b/a TAP RX, LLC

BY: /s/
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CERTIFICATION

I hereby certify that on June 3, 2015, a copy of the foregoing was filed electronically. Notice of this filing was sent by e-mail to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/
Christopher M. Hodgson, Esq. (CH3501)